

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

ROEL LEMUS GARCIA, and DIANA  
GUZMAN,

Defendants.

**8:16CR308**

**ORDER**

This matter is before the Court *sua sponte* regarding the Jury Trial set for July 31, 2018, as to both defendants in this case. Defendant Diana Guzman's Sealed Motion [81] is set for hearing before the Court on August 22, 2018; therefore, trial of this matter should be cancelled as to both defendants.

**IT IS ORDERED:**

1. The Jury Trial set for July 31, 2018, as to Roel Lemus Garcia and Diana Guzman is cancelled, and shall be rescheduled upon disposition of all pretrial motions in this case.

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendants in a speedy trial. The additional time arising as a result of the granting of the motion, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason of the pending motion and that additional time is required to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (6)-(7).

Dated this 27th day of July, 2018.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge